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August 5, 2005

DOCKET FILE COPY ORIGINAL

VIA PRIORITY FEDERAL EXPRESS DELIVERY

Attn: Marlene H. Dortch, Commission Secretary
Office of the Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, Maryland 20743

Re: **Subscriber Notification Report**
Sipmedia, Inc. VoIP E911 Compliance Letter
WC Docket No. 05-196

Dear Ms. Dortch:

Pursuant to WC Docket No. 05-196, please accept this original Compliance Letter and four (4) copies as Sipmedia, Inc.'s response to provide E911 capabilities to subscribers.

A copy of this Compliance Letter is also being sent to Mr. Byron McCoy, Telecommunications Consumers Division; Ms. Kathy Berthot, Spectrum Enforcement Division; Ms. Janice Myles, Competition Policy Division; and Best Copy and Printing, Inc., Commission's copy contract via e-mail on August 5, 2005 pursuant to the FCC's Interconnected VoIP service providers to provide E911 capabilities July 29, 2005 Order.

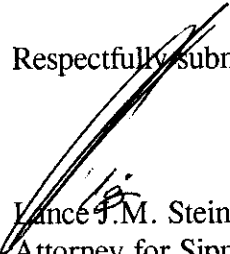
I have also enclosed an extra copy of this letter to be time stamped and returned to me in the enclosed, pre-addressed, postage prepaid envelope.

No. of Copies rec'd 044
List ABCDE

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If you have any questions or if I may provide you with additional information, please contact me at the above address, telephone number or e-mail. Thank you for your attention to this matter.

Respectfully submitted,



Lance J.M. Steinhart
Attorney for Sipmedia, Inc.

Enclosures

cc: Mr. Bob Charish

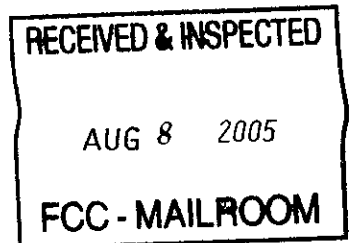
Mr. Byron McCoy (via e-mail to: byron.mccoy@fcc.gov)
Telecommunications Consumers Division, Enforcement Bureau

Ms. Kathy Berthot (via e-mail to: kathy.berthot@fcc.gov)
Spectrum Enforcement Division, Enforcement Bureau

Ms. Janice Myles (via e-mail to: janice.myles@fcc.gov)
Competition Policy Division, Wireline Competition Bureau

Best Copy and Printing, Inc. (via e-mail to: fcc@bcpiweb.com)
Commission Copy Contractor

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Subscriber Notification Report

WC Docket No. 05-196

Sipmedia, Inc.

1. A detailed description of all actions the provider has taken to specifically advise every subscriber, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service and/or may be in some way limited by comparison to traditional E911 service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers (i.e., e-mail, U. S. mail);

Response: Effective May 26 2005 Sipmedia included into its signup process notification, that E911 is available in certain markets and not available in others. (Exhibit A) We required customers to acknowledge if E911 was not available that they would need another method to contact emergency personnel. If E911 is available in their requested area they had to acknowledge reading a detailed description of it limitations and how it differs from traditional E911. (Exhibit B)

On 7/21/05 and again on August 4, 2005 we sent an e-mail our customers a notice asking them to come to our website and acknowledge that they are aware that there is no E911 on their line or if E911 is available in their area to change their number to an E911 enabled number immediately or to enable E911 on their current number which would be effective prior to Nov 28th. (Exhibit C). (Sipmedia is working with our E911 provider Level 3 communications to enable existing lines with E911).

2. A quantification of how many of the provider's subscribers, on a percentage basis, have submitted an affirmative acknowledgement, as of the date of the report, and an estimation of the percentage of subscribers from whom they do not expect to receive an acknowledgement by August 29, 2005;

Response: As of Aug 5 2005 Fifty nine (59%) percent of our customer have acknowledged the Sipmedia's E911 Notification.

We estimate that 20 – 25% of our customer will not acknowledge by Aug 29.

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3. A detailed description of whether and how the provider has distributed to all subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on and/or near the customer premises equipment used in connection with the interconnected VoIP service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers (i.e., e-mail, U. S. mail);

Response: Effective July 25 2005 Sipmedia included in its shipment of all phone adapters a bright yellow notification card of Sipmedia's E911 service and its limitations. Over the next two weeks we will be mailing stickers to all existing customer specifying the limitations of Sipmedia's E911 service.

4. A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in the first bullet above and/or to whom the provider did not send warning stickers or other appropriate label as identified in the bullet immediately above;

Response: As of Aug 5, 2005 we have sent email notification to 100% of our customer base requiring them to acknowledge E911 Notification.

As of Aug 5, 2005 we have sent a bright yellow notification card to 20 customers.

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5. A detailed description of any and all actions the provider plans on taking towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory, including, but not limited to, disconnecting the subscriber's VoIP service with the Company no later than August 30, 2005;

Response: Starting Aug 8th. Customers that have not acknowledged Sipmedia's E911 Notification will be forced to listen to a recording on outbound calls that they must go to our website and acknowledge Sipmedia's E911 Notification by Aug 29th or their service will be suspended

Starting Aug 8th. Customers that have not acknowledged Sipmedia's E911 Notification will be called and be told that they must go to our website and acknowledge by Aug 29th or their service will be suspended.

Effective Aug 29th 2005 all customers that have not acknowledged the Sipmedia's E911 Notification will be turned off until they acknowledge the Sipmedia E911 notification or prove that they are located outside of the United States.

6. A detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers; and

Response: All acknowledgments by our customer are being marked on their customer record in our databases for the date and if they acknowledged reading Sipmedia's E911 Notification.

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7. The name, title, address, phone number, and e-mail address of the person(s) responsible for the Company's compliance efforts with the VoIP E911 Order.

Response: Bob Charish
COO
Sipmedia, Inc.
701 Madison Avenue
Lakewood, New Jersey 08701
(646) 722-7221
bcharish@sipmedia.com

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Exhibit A

E911 Not available

**Welcome to the most trusted internet telephony
network. (VoIP)**

[Choose Enhanced 911](#)

Special Note:

E911 is not available in the rate center and city you have requested.
Please read the disclosure below.

☐ I understand that if I decline the optional E911 service or if it is not
available in my rate center, I will not be able to contact emergency
911 personnel using my myPhoneCompany phone line.

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Exhibit A (cont'd.)

E911 Available

**Welcome to the most trusted internet telephony
network. (VoIP)**

[Choose Enhanced 911](#)

Special Note:

It appears that E911 is available in the rate center and city you have requested. This does not guarantee E911 will be available to you, but after we verify if your physical address supports E911 your request will be processed. For E911 to be approved your telephone number must be from the rate center and city in your emergency area, so if the physical address and the rate center do not match we will provide a number from the correct rate center for you. [Click here](#) for more information.

E911 Monthly Rate: \$1.50

E911 Activation Fee: \$15.00

☐ Yes ☒ No

☐ I understand that if I decline the optional E911 service or if it is not available in my rate center, I will not be able to contact emergency 911 personnel using my myPhoneCompany phone line.

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Exhibit B

myPhoneCompany Offers real E911 Service

myPhoneCompany offers Enhanced 911 (E911) service which automatically routes emergency calls and provides caller information to emergency personnel at the local Public Safety Answering Point (PSAP).

Because myPhoneCompany's E911 calls are routed as emergency traffic and accompanied by E911 caller information, callers should receive the same response from emergency personnel that they would receive from traditional phone 911 service. myPhoneCompany's E911's implementation also eliminates the need for operators to ask callers their location, which could be crucial in cases where the caller may not be able to verbally communicate due to the emergency.

Most, broadband phone service providers either do not support 911 emergency calls or route emergency calls to administrative lines of PSAPs this results in calls not be handled with the urgency of a 911 call.

myPhoneCompany's E911 Service

If you subscribe to myPhoneCompany's E911 Service, your emergency call will automatically go to the PSAP that handles all 911 Emergencies and the emergency operator will automatically be presented your telephone number and location information via telephone and computer-based systems respectively. All you will have to do is state the emergency, and if you cannot speak, the PSAP operator will still know your location.

myPhoneCompany's E911 support is an optional service for all our service plans for which subscribers pay a one time activation fee of \$15.00 and \$1.50 monthly fee. If you decline E911 service, you will not have direct access to emergency personnel via your MyPhoneCompany line. Though myPhoneCompany's E911 service is not yet available in all areas, we are expanding the service as quickly as possible. If E911 is not yet available in your area, we encourage you to check back frequently.

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Exhibit B (Cont'd.)

Service Outages and an address change can prevent E911 access

myPhoneCompany service, including E911 service, **will not** function during an electrical power or broadband provider outage. You must subscribe to myPhoneCompany's E911 and provide the physical location of your myPhoneCompany line for E911 dialing on your phone to function. When you sign up for myPhoneCompany E911 service, you must fill out a short form that tells us your actual physical address. We will verify that your telephone number and address are supported by our E911 service. If myPhoneCompany E911 service is available, when you dial 911, the call will be routed to the local PSAP designated for the address you have registered with myPhoneCompany.

Unlike traditional phone service, myPhoneCompany service is portable to any location with broadband Internet access. You can also take your phone adapter with you on a trip, but when you travel, myPhoneCompany E911 service will automatically route your call to the local emergency personnel location for the address on file, not your temporary location.

If you move, you **MUST** provide your new location. You can conveniently update your new location online. It may take several days to update your designated address of record.

myPhoneCompany E911 service will is not available on mySoftPhone and on Virtual numbers.

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Exhibit C

Upgrading to E911 service costs \$1.50 a month in addition to your monthly service plan. There is also a one-time activation fee of \$15.00.

At this time, you have two ways to upgrade to E911 service:

- Option 1: You can upgrade immediately (allow 7 business days for processing) and we will assign a new phone number to you.
- Option 2: You can choose to upgrade using your existing phone number and this will take affect sometime before November 28th, 2005.

You will not be charged the activation fee and additional monthly fee until the e911 service is activated.

You will be notified by email when your e911 service is effective.

How would you like to upgrade to E911 service ?

- ☐ Option 1: activate now with a new number
- ☐ Option 2: activate with my existing number (to be converted by Nov. 28th)

>> submit